

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, et al,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

**JOINT STIPULATION REGARDING ALLY FINANCIAL INC.'S MOTION FOR AN
ORDER ENFORCING THE CHAPTER 11 PLAN INJUNCTION FILED AT ECF 6723**

COME NOW the Movant, Ally Financial, and Respondents, McCallum, Methvin and Terrell and their respective clients in the underlying state court actions, by and through their undersigned counsel, and file herewith their Joint Stipulation regarding the issues raised by Movant in its motion at ECF No. 6723. The parties stipulate as follows:

1. Respondents have filed three class action lawsuits against Ally Financial. The lawsuits are: *Donaldson, et al v. GMAC Mortgage, LLC*, SU 09 CV 3359D, Superior Court of Muscogee County, Georgia (the “Georgia Action”); *Chatman, et al v. GMAC Mortgage Corporation*, et al, CV-2008-9000015, Barbour County Circuit Court, Eufaula, Alabama (the “Chatman Action”); and *Robinson, et al v. Homecomings Financial, LLC*, et al, CV-2008-900007, Barbour County Circuit Court, Eufaula, Alabama (the “Robinson Action,” together with the Chatman Action the “Alabama Actions”) (the Alabama Actions and the Georgia Action are collectively referred to as the “Actions”).

2. On March 28, 2014, Ally Financial filed a motion [ECF No. 6723] to enforce the Third Party Release and Injunction set forth in Second Amended Joint Chapter 11 Plan Proposed by Residential Capital, LLC, et al. and the Official Committee of Unsecured Creditors [ECF No. 6065-1] (the “Plan”),¹ which was confirmed by the Court on December 11, 2013 [ECF No.

¹ Capitalized terms used but not defined herein have the meanings given to such terms in the Plan.

6065], asserting that the claims against Ally in the Actions are covered by the Third Party Release and that the Injunction enjoins the Respondents from prosecuting their claims against Ally.

3. Respondents agree to move the respective State Courts to dismiss Ally Financial with prejudice from all the Actions on April 11, 2014.

4. Respondents stipulate that the motions for the Alabama Actions can be filed electronically, that motions to dismiss Ally Financial with prejudice from the Alabama Actions will be filed electronically on April 11, 2014, and that Respondents will provide as-filed copies of the dismissal motions to Movant's counsel on April 11, 2014.

5. Respondents further stipulate that the Georgia Court is a paper filing Court, that the Respondents will mail to the Georgia Court a motion to dismiss Ally Financial with prejudice from the Georgia Action on April 11, 2014, and that Respondents will provide an as-mailed copy of the dismissal motion to Movant's counsel on April 11, 2014.

6. Respondents further stipulate that they will provide electronic copies of the orders entered by the State Courts granting their motions to dismiss to Movant's counsel upon receipt.

7. In exchange for Respondents dismissing Ally Financial from the Actions with prejudice and delivering to Movant's counsel the copies of the dismissal motions and the State Court orders granting those motions, Ally Financial and its counsel agree not to seek the entry of any fees and expenses related to the filing of the Movant's motion at ECF No. 6723.

8. Upon receiving the Orders dismissing all the Actions from the respective State Courts, the Movant agrees to withdraw its motion filed at ECF No. 6723.

9. Respondents and Movant further agree that if Respondents fail to comply with the requirements of paragraphs 3 through 6 above, the hearing for Movant's motion at ECF No.

6723 shall go forward on April 24, 2014, as scheduled. However, the parties agree that Movant or the parties jointly may later seek a continuance of the hearing if the Orders dismissing all the Actions have not been received by the hearing date of April 24, 2014.

10. Respondents agree to be bound by the terms of the Third Party Release and the Injunction set forth in the Plan.

11. It is the parties' intention that this agreement will resolve the Movant's motion at ECF 6723 upon dismissal of Ally from all the Actions with prejudice.

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Done this 11th day of April 2014.

Respectfully submitted,

/s/Nick Wooten

Nick Wooten - Bar No. WOO084

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IT IS SO ORDERED.

Dated: April 14, 2014
New York, New York

/s/Martin Glenn

MARTIN GLENN

United States Bankruptcy Judge